

APPENDIX 2(a)

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

November 27, 1965

EXECUTIVE ORDER NO. 178

SUBJECT: FURNISHING OF COUNSEL TO INDIGENT CRIMINAL DEFENDANTS WITHIN THE CITY OF NEW YORK

1. Pursuant to the provisions of Article 18-B of the County Law (§§ 722-722e added by Chapter 878 of the Laws of 1965), I hereby designate the Legal Aid Society of the City of New York to furnish counsel to persons within the City of New York charged with a crime (as defined in County Law, §722-a) who are financially unable to obtain counsel within the meaning of County Law §722. The terms and conditions for the rendition of such services, subject to the provisions of the foregoing statute, shall be as provided in an agreement to be entered into by the Society and the City; provided, however, that for the services to be rendered by the Society during the period from December 1, 1965, up to and including June 30, 1966, the City shall pay such Society the sum of Three Hundred Thousand (\$300,000) dollars, in such installments and at such times as shall be provided for in such agreement. This sum is in addition to the Four Hundred Thousand (\$400,000) dollars heretofore paid by the City to the Society for the period from July 1, 1965 to June 30, 1966.

2. In those cases where by reason of a conflict of interest or other appropriate reason provided in the above-mentioned agreement, the Legal Aid Society declines to represent any such defendant, such defendant shall be represented by counsel furnished pursuant to the joint plan of the Association of the Bar of the City of New York and the New York County Lawyers' Association, as set forth in the communications by such bodies to the Mayor, dated November 11 and 12, 1965; provided that such joint plan is approved by the Judicial Conference of the State of New York; and provided, further, that any imposing or seeking to impose any expense or charge upon the City, other than as provided for by §§722-b and 722-c of the County Law, shall not be effective unless approved by the Mayor.

3. The Director of the Budget is hereby authorized to promulgate rules and regulations for the implementation of this executive order in conformity with applicable law.

4. The provisions of the foregoing plan for providing counsel through the Legal Aid Society may be terminated by the City acting by executive order of the Mayor, or by the Legal Aid Society, by giving sixty (60) days notice to the other party in such manner as shall be provided for in the above-mentioned agreement.

5. This executive order shall take effect December 1, 1965.

/s/ Robert F. Wagner
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